

**PROPOSED AMENDMENT TO BILL NO. 1162**  
**AMENDMENT TO PLANNING COMMISSION RECOMMENDATION 5**

Recommended by: Planning Commission  
Date: February 10, 2009

Purpose of the Proposed Amendments: No change is proposed to the recommendation to add language providing a cross-reference to § 190-116. The proposal is to amend § 190-116 to change the Planning Commission's recommendation that the distance between the sewage disposal area the use that it serves be no greater than 200 feet, to \_\_\_\_\_ feet.

**KEY**

**Boldface**..... Heading or defined term.  
Underlining..... Planning Commission recommendation  
~~Strikethrough~~..... Deleted from existing law by original bill.  
Double underlining..... Added to bill by amendment.  
~~Double strikethrough~~..... Deleted from bill by amendment.  
\* \* \*..... Existing law unaffected.

**Planning Commission Proposed Amendment No. 3:**

**§190-90. Septic Systems**

\* \* \*

E. For lots created after the effective date of this Chapter see §190-116.

**Planning Commission Proposed Amendment No. 5:**

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**§ 190-116. Location of sewage disposal areas**

A. For lots recorded after the effective date of this chapter, a sewage disposal area shall be located on the same lot as, and ~~at any point be within no further than 200~~ \_\_\_\_\_ feet from, the use that it serves.

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B. A waiver may be granted to allow a distance greater than 200 feet by the approving authority for the subdivision or site plan, or by the Planning Director for other development activities; to include building permits, provided that:

- (1) The waiver allows avoidance of disturbance to significant topographical features such as streams, wetlands, tidal waters were steep slopes;
- (2) The approving authority finds that the waiver results in a subdivision that better accomplishes the purposes of this chapter and the design guidelines for the zoning district;
- (3) All components of the sewage disposal system will be accessible without requiring permits for disturbance of wetlands; and\
- (4) Access to the sewage disposal system is permanently guaranteed.

\* \* \*

**Note:** Robert's Rules of Order, §12 (page 155) describes "filling blanks" as follows: Filling blanks, although not a form of amendment in itself, is a closely related device by which an unlimited number of alternative choices for a particular specification in a main motion or primary amendment can be pending at the same time.... in amending by the ordinary method, a maximum of three alternatives can be pending at once..." This proposal allows Council to consider adopting a number different than 200 feet for insertion in the blank.